THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.23137 OF 1996

ORAL ORDER:

This writ petiton is filed questioning the notice dated 10.10.1996 issued by the 3rd respondent in exercise of the powers under the provisions of the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977 (for short "the Act"), calling upon one Kona Raghu to show cause as to why he should not be evicted from the land situated in Sy.Nos.260/1, 260/2, 259/3 and 260/4 of Korangi Village, Tallarevu Mandal. In the said notice it was alleged that he is in possession of the said lands in contravention of the provisions of Section 3(2) of the Act. The petitioners, who are four in number, claim that they are in actual possession of the said lands having been granted D-Form pattas long back. It is stated that though they made a representation to the 1st respondent explaining the said fact, the respondents did not consider, but on the other hand, have been attempting to dispossess them. Hence, this writ petition.

This Court while directing *Rule nisi*, granted interim stay of dispossession on 1.11.1996 and the same continued to be in force till today and no counter affidavit is filed by the respondents disputing the version of the petitioners.

In the circumstances, I deem it appropriate to dispose of the writ petition granting liberty to the petitioners to make a fresh representation before respondent No.3, explaining their title together with supporting material within a period of four weeks from the date of receipt of a copy of this order. If any such representation is made, the 3rd respondent shall consider the same and pass appropriate orders in accordance with law and communicate the same to the petitioners. Till such time, the respondents are directed not to interfere with the possession of the petitioners in respect of the land in question.

The writ petition is accordingly disposed of. No costs.

(G. ROHINI, J.)

26th September, 2006.

Issue CC in two days.

Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.23137 OF 1996

26th September, 2006.

Between:

Kona Babu Rao and others. .. Petitioner.

And

The District Collector, East Godavari District,
At Kakinada and others. .. Respondents.